

JUL 14 2005

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FACSIMILE COVER PAGE

DATE: 7/14/05
TO: Tamara Davis
FAX: 571-273-8300
FROM: Don Stout
RE: SN 09/761,969 - Per request copy of
amendment filed 1/13/05 and fax transmittal
receipt. Please note that Examiner Cook did indicate
on 5/23/05 that the PTO had received this amendment
and that a further office action could be expected by the
end of July.

THIS TRANSMISSION CONSISTS OF 16 PAGES INCLUDING THIS COVER PAGE.
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MEMORY TRANSMISSION REPORT

PAGE : 001
 TIME : JAN-13-05 12:55PM
 TEL NUMBER1:
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 E-MAIL :
 NAME : Stout,Uxa,Buyan & Mullins 0500

FILE NUMBER : 885
 DATE : JAN-13 12:51PM
 TO : 17038729306
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 START TIME : JAN-13 12:51PM
 END TIME : JAN-13 12:55PM
 SENT PAGES : 014
 STATUS : OK

FILE NUMBER : 885

*** SUCCESSFUL TX NOTICE ***

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FACSIMILE COVER PAGE

DATE: January 13, 2005		
PTO IDENTIFIER:	Application Number	09/761,969
	Patent Number	
	Inventor:	Garity et al.
TO: Mail Stop Amendment: Examiner Cook, CAU 1641		
FAX NUMBER: 703-872-9306		
FROM: Greg S. Holligel		
PHONE: 949-450-1750		
Attorney Dkt #: A1712		
PAGES (Including Cover Sheet): 14		
CONTENTS: 1. Transmittal Form (1 page); and 2. Amendment (12 pages).		
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FACSIMILE COVER PAGE

DATE: January 13, 2005	
PTO IDENTIFIER:	Application Number 09/761,969 Patent Number Inventor: Garrity et al.
TO: Mail Stop Amendment; Examiner Cook, GAU 1641	
FAX NUMBER: 703-872-9306	
FROM: Greg S. Hollrigel	
PHONE: 949-450-1750	
Attorney Dkt. #: A1712	
PAGES (Including Cover Sheet): <u>14</u>	
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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/761,969
		Filing Date	January 16, 2001
		First Named Inventor	Garrity
		Group Art Unit	1841
		Examiner Name	Cook, L.V.
Total Number of Pages in This Submission	14	Attorney Docket Number	A1712

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form (in duplicate) <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below) 1. Facsimile Cover Page.
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual Name	Greg S. Hollrigel Registration No. 45,374
Signature	/Greg S. Hollrigel/
Date	January 13, 2005

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO at fax number 703-872-9306, or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Greg S. Hollrigel		
Signature	/Greg S. Hollrigel/	Date	January 13, 2005

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JUL 14 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/761,969
Applicant : Garrity et al.
Filed : January 16, 2001
Title : VITAMIN D ASSAY

Confirmation No. 5878

TC/A.U. : 1600/1641
Examiner : Cook, L.V.

Docket No. : A1712
Customer No. : 33197

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Date: January 13, 2005

By: /Greg S. Hollrigel/
Greg S. HollrigelAMENDMENT IN RESPONSE TO OCTOBER 13, 2004 OFFICE ACTION

Dear Sir:

This Amendment is being submitted in response to the October 13, 2004 Office Action issued by the United States Patent and Trademark Office regarding the above-identified application. A response to the Office Action is due January 13, 2005. Please amend the subject application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 7 of this paper.

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